IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 2ND MARCH 2007 / 11TH PHALGUNA 1928

Bail Appl..No. 1255 of 2007()

CRMP.253/2007 of SESSIONS COURT, PALAKKAD

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PETITIONER/2ND ACCUSED:

SHELVAN, S/O LATE CHELLAN,
AGED 24 YEARS,
MARUTHAMCHALLA, PETTICKAL,
SHOLAYAR VILLAGE,
MANNARKKAD TALUK, PALAKKAD DISTRICT.

BY ADV. SRI.N.NAGARESH
SRI.BINU PAUL

RESPONDENTS/COMPLAINANT:

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1. STATE,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

2. CIRCLE INSPECTOR OF POLICE,
AGALI POLICE CIRCLE, AGALI,
PALAKKAD DISTRICT.

BY PUBLIC PROSECUTOR SHRI JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 02/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NO.1255 OF 2007

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DATED THIS THE 2nd DAY OF MARCH, 2007

O R D E R

Petitioner who is the 2nd accused in Crime No.45/06 of Sholayar Police Station for offences punishable under sections 302 and 201 read with section 34 IPC, seeks his enlargement on bail. He was arrested on 4.8.2006 and has been in custody since then.

2. Learned Public Prosecutor opposed the application.

3. The case of the prosecution is that the first accused with a view to appropriate the wealth of Mallika, his wife's sister, wanted to marry her. But she was unwilling for the marriage and on account of the enmity, the first accused committed murder of the said Mallika using a chopper in the night of 24.5.2006. The role attributed to the petitioner is that the petitioner had provided a hiding place to the first accused after the occurrence. Having regard to the role played by the petitioner and the duration of his judicial custody, I am inclined to grant bail to the petitioner. Accordingly, the petitioner is directed to be released on bail on his executing a bond for Rs.10,000/- (Rupees ten thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M., Mannarkkad and subject to the following conditions:

1. The petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. The petitioner shall make himself available for interrogation as and when required by the Police, till the filing of the final report.

3. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

4. The petitioner shall not commit any offence while on bail.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR, JUDGE.

dsn